

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

☐ Valuation of Security

☐ Assumption of Executory Contract or Unexpired Lease

2 . Lien Avoidance

Last revised: August 1, 2020

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:
Thomla S. West

Case No.: 19-33709

Judge: ABA

Debtor(s)

Chapter 13 Plan and Motions

☐ Original

☒ Modified/Notice Required

Date: 3/2/2023

☐ Motions Included

☐ Modified/No Notice Required

**THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE**

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☒ DOES ☐ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: RAD

Initial Debtor: TW

Initial Co-Debtor: _____

Part 1: Payment and Length of Plan

- a. The debtor shall pay \$ 237.57 per months 1-38 to the Chapter 13 Trustee, starting on 3/1/23 \$436.00 for mo. 39-60 for approximately 22 months.
- b. The debtor shall make plan payments to the Trustee from the following sources:
- ☒ Future earnings
 - ☐ Other sources of funding (describe source, amount and date when funds are available):
- c. Use of real property to satisfy plan obligations:
- ☐ Sale of real property
Description:
Proposed date for completion: _____
 - ☐ Refinance of real property:
Description:
Proposed date for completion: _____
 - ☐ Loan modification with respect to mortgage encumbering property:
Description:
Proposed date for completion: _____
- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.
- e. ☐ Other information that may be important relating to the payment and length of plan:

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Quicken Loan	Residential Mortgage	\$14,585.48		\$14,585.48 (\$11,439.07 pre-petition arrearages and \$3,126.41 post-petition arrearages)	\$1,089.34 maintain post-petition mortgage payments
Camden Co. MUA	Residence	\$406.82		\$406.82	maintain PP pymts
Borough of Clementon	Residence	\$614.12		\$614.12	maintain PP pymts

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrearages: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ **NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☐ **NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
Exeter Finance LLC	2013 Ford Fusion-car already surrendered and sold by creditor; relief granted	\$14,580.12	\$8,009.93

f. Secured Claims Unaffected by the Plan ☐ NONE

The following secured claims are unaffected by the Plan:

U.S. Dept. of Housing and Urban Development: Debtor to maintain regular post-petition payments outside of the plan.

g. Secured Claims to be Paid in Full Through the Plan: ☒ NONE

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims ☐ NONE

a. Not separately classified allowed non-priority unsecured claims shall be paid:

☐ Not less than \$ _____ to be distributed *pro rata*

☐ Not less than _____ percent

☒ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions ☐ NONE

NOTE: All plans containing motions must be served on all affected lienholders, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal*, and valuation must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☐ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
Petro, Inc.	residence	Judgment	\$1,854.70			\$124,882.43	\$1,854.70
Capital One Bank	residence	Judgment	\$2,011.08			\$124,882.43	\$2,011.08

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☒ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Priority Claims
- 3) Secured Claims
- 4) Unsecured Claims

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

NOTE: Modification of a plan does not require that a separate motion be filed. A modified plan must be served in accordance with D.N.J. LBR 3015-2.

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 3/19/2020

Explain below why the plan is being modified:
to provide for payment of post-petition mortgage arrears and to now treat claim filed by Exeter Finance as unsecured since auto was repossessed

Explain below how the plan is being modified:
addition of post-petition mortgage arrears of \$3,126.41 being added to plan base per Court Order

Are Schedules I and J being filed simultaneously with this Modified Plan?

☒ Yes ☐ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: 3/3/2023


Debtor

Date: _____

Joint Debtor

Date: 3/3/23


Attorney for Debtor(s)

In re:
Thomia S. West
Debtor

Case No. 19-33709-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin

Page 1 of 3

Date Rcvd: Mar 06, 2023

Form ID: pdf901

Total Noticed: 27

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 08, 2023:

Recip ID	Recipient Name and Address
db	+ Thomia S. West, 24 Erial Road, Clementon, NJ 08021-4444
518632476	+ Borough of Clementon, 101 Gibbsboro Road, Clementon, NJ 08021-4035
518689957	+ CAMDEN COUNTY MUA, 1645 FERRY AVE, CAMDEN NJ 08104-1311
518632477	Camden County MUA, Regional Sewer Service Invoice, P.O. Box 1105, Bellmawr, NJ 08099-5105
518632479	+ Capital One Bank (USA), c/o Hayt, Hayt & Lndau, LLC, Two Industrial Way West, P.O. Box 500, Eatontown, NJ 07724-0500
519707230	+ Morton & Craig, LLC, 110 Marter Avenue, Suite 301, Moorestown, NJ 08057-3125
518632484	Petro, Inc., c/o John Sheerin, Esquire, 6851 Jericho Turnpike, Suite 220, P.O. Box 9036, Syosset, NY 11791-9036
518645871	+ US Department of HUD, 2401 NW 23rd Street, Suite 1A1, Oklahoma City OK 73107-2448

TOTAL: 8

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	Email/Text: usanj.njbankr@usdoj.gov	Mar 06 2023 20:45:00	U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+ Email/Text: ustpreion03.ne.ecf@usdoj.gov	Mar 06 2023 20:45:00	United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
cr	+ Email/PDF: acg.acg.ebn@aisinfo.com	Mar 06 2023 20:43:00	Exeter Finance LLC f/k/a Exeter Finance Corp., 4515 N. Santa Fe Avenue, Dept. APS, Oklahoma City, OK 73118-7901
518658726	Email/Text: ebnnotifications@creditacceptance.com	Mar 06 2023 20:44:00	Credit Acceptance, 25505 West 12 Mile Rd., Southfield MI 48034
518632478	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Mar 06 2023 20:42:50	Capital One, c/oPortfolio Recovery Associates, P.O. Box 30285, Salt Lake City, UT 84130-0285
518638194	+ Email/PDF: ebn_ais@aisinfo.com	Mar 06 2023 20:42:43	Capital One Bank (USA), N.A., 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
518632480	Email/Text: ebnnotifications@creditacceptance.com	Mar 06 2023 20:44:00	Credit Acceptance Corporation, P.O. Box 5009, Southfield, MI 48086-5009
518632481	+ Email/Text: electronicbkydocs@nelnet.net	Mar 06 2023 20:45:00	Department of Education/NELNET, P.O. Box 82561, Lincoln, NE 68501-2561
518716674	^ MEBN	Mar 06 2023 20:40:11	Emergency Physician Associate of South Jersey, PO Box 1123, Minneapolis MN 55440-1123
518632482	+ Email/PDF: acg.exeter.ebn@aisinfo.com	Mar 06 2023 20:42:51	Exeter Finance, PO Box 166008, Irving, TX 75016-6008
518669368	+ Email/PDF: acg.exeter.ebn@aisinfo.com	Mar 06 2023 20:43:01	Exeter Finance LLC, PO Box 650693, Dallas, TX 75265-0693

District/off: 0312-1

User: admin

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Date Rcvd: Mar 06, 2023

Form ID: pdf901

Total Noticed: 27

518633944	+ Email/PDF: acg.acg.ebn@aisinfo.com	Mar 06 2023 20:43:00	Exeter Finance LLC, AIS Portfolio Services, LP, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
518711882	Email/Text: JCAP_BNC_Notices@jcap.com	Mar 06 2023 20:45:00	Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-9617
518632483	+ Email/Text: JCAP_BNC_Notices@jcap.com	Mar 06 2023 20:45:00	Jefferson Capital Systems, LLC, c/o Louis Greefield, Esquire, P.O. Box 17210, Golden, CO 80402-6020
518668466	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Mar 06 2023 20:42:43	Portfolio Recovery Associates, LLC, c/o Capital One Bank (usa), N.a., POB 41067, Norfolk VA 23541
518632485	+ Email/Text: bankruptcyteam@quickenloans.com	Mar 06 2023 20:45:00	Quicken Loans, 1050 Woodward Avenue, Detroit, MI 48226-3573
518699412	+ Email/Text: bankruptcyteam@quickenloans.com	Mar 06 2023 20:45:00	Quicken Loans Inc., 635 Woodward Avenue, Detroit, MI 48226-3408
518645870	Email/PDF: OGCRegionIIBankruptcy@hud.gov	Mar 06 2023 20:42:51	US Department of HUD, 26 Federal Plaza, Suite 3541, New York NY 10278
518632486	+ Email/Text: wfmelectronicbankruptcynotifications@verizonwireless.com	Mar 06 2023 20:44:00	Verizon, c/o EOS CCA, 700 Longwater Drive, Norwell, MA 02061-1624

TOTAL: 19

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
518639334	##+	Denise Carlon Esquire, KML Law Group, P.C., 216 Haddon Avenue, Ste. 406, Westmont, NJ 08108-2812

TOTAL: 0 Undeliverable, 0 Duplicate, 1 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 08, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 6, 2023 at the address(es) listed below:

Name	Email Address
Brian C. Nicholas	on behalf of Creditor Rocket Mortgage LLC f/k/a Quicken Loans, LLC f/k/a Quicken Loans Inc. bnicholas@kmlawgroup.com, bkgroup@kmlawgroup.com
Denise E. Carlon	on behalf of Creditor Quicken Loans Inc. dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Denise E. Carlon	on behalf of Creditor Rocket Mortgage LLC f/k/a Quicken Loans, LLC f/k/a Quicken Loans Inc. dcarlon@kmlawgroup.com,

District/off: 0312-1

User: admin

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bkgroup@kmlawgroup.com

Isabel C. Balboa

ecfmail@standingtrustee.com summarymail@standingtrustee.com

Isabel C. Balboa

on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com summarymail@standingtrustee.com

John R. Morton, Jr.

on behalf of Creditor Exeter Finance LLC f/k/a Exeter Finance Corp. ecfmail@mortoncraig.com mortoncraigeef@gmail.com

Ruth Ann DiDonato

on behalf of Debtor Thomia S. West rddonato@wwdlaw.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8